

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JANIS SPENCER MURRAY and
MAC MURRAY,

Plaintiffs/Counter-Defendants,

v.

No. 09-cv-1150-WJ/RHS

BOB BURT, DARIAN BURT,
Defendants/Counter-Claimants.
and
SELECT BREEDERS SOUTHWEST,
and SMART RANCHES,

Defendants.

ORDER GRANTING EXPEDITED BRIEFING SCHEDULE
and SETTING SHOW CAUSE HEARING ON
PLAINTIFFS' MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

THIS MATTER comes before the Court upon Plaintiffs' Motion for Leave to File Second Amended Complaint Joining Misty Mountain Ranch, LLC as a Party Defendant and Expediting Time to Answer Complaint, filed January 26, 2011 (**Doc. 223**); and Plaintiffs' Motion to Require Expedited Response and Reply to Plaintiffs' Motion to Amend Complaint, filed January 26, 2011 (**Doc. 224**).

The Court, having considered the pleadings, finds merit in Plaintiffs' request for expedited briefing, due to the close proximity of the trial date (March 7, 2011). However, the Court will defer ruling on Plaintiffs' request to amend the complaint and will hold a hearing on the matter.

THEREFORE,

IT IS ORDERED that Plaintiffs' Motion to Require Expedited Response and Reply to

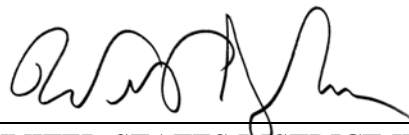
Plaintiffs' Motion to Amend Complaint (**Doc. 224**) is GRANTED in that:

(1) Defendant Burt's Response to Plaintiffs' Motion for Leave to File Second Amended Complaint is **due by Tuesday, February 1, 2011**; and

(2) Plaintiffs' reply is **due by Wednesday, February 2, 2011**;

IT IS FURTHER ORDERED that a ruling on Plaintiffs' Motion for Leave to File Second Amended Complaint is DEFERRED pending a hearing on the matter, which will be held on **Monday, February 7, 2011 at 9:00 a.m.**, before the Honorable William P. Johnson, at the U.S. District Courthouse, 333 Lomas Blvd. NW, Bonito Courtroom—5th Floor, Albuquerque, New Mexico. Plaintiffs' counsel will be required to SHOW CAUSE, in the event Plaintiffs' Motion to Amend is granted, why (1) the March 7, 2011 trial date should not be vacated, and (2) why the Court's previous Order denying Defendant Burt's Motion to Amend Counterclaim should not be rescinded so as to allow Defendant to file an Amended Counterclaim.

SO ORDERED.



UNITED STATES DISTRICT JUDGE